



Executive Committee

**Filed: 2/27/2008**

09500HB4393ham001

LRB095 15176 RLC 46478 a

1 AMENDMENT TO HOUSE BILL 4393

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 4393 on page 11, by  
3 replacing lines 9 through 13 with the following:

4 "Bureau of Alcohol, Tobacco and Firearms (ATF)."; and

5 on page 11, line 22, by deleting "and under its rules,"; and

6 on page 13, by inserting immediately below line 22 the  
7 following:

8 "(g) Notwithstanding any other rulemaking authority that  
9 may exist, neither the Governor nor any agency or agency head  
10 under the jurisdiction of the Governor has any authority to  
11 make or promulgate rules to implement or enforce the provisions  
12 of this amendatory Act of the 95th General Assembly. If,  
13 however, the Governor believes that rules are necessary to  
14 implement or enforce the provisions of this amendatory Act of  
15 the 95th General Assembly, the Governor may suggest rules to  
16 the General Assembly by filing them with the Clerk of the House

1 and the Secretary of the Senate and by requesting that the  
2 General Assembly authorize such rulemaking by law, enact those  
3 suggested rules into law, or take any other appropriate action  
4 in the General Assembly's discretion. Nothing contained in this  
5 amendatory Act of the 95th General Assembly shall be  
6 interpreted to grant rulemaking authority under any other  
7 Illinois statute where such authority is not otherwise  
8 explicitly given. For the purposes of this subsection, "rules"  
9 is given the meaning contained in Section 1-70 of the Illinois  
10 Administrative Procedure Act, and "agency" and "agency head"  
11 are given the meanings contained in Sections 1-20 and 1-25 of  
12 the Illinois Administrative Procedure Act to the extent that  
13 such definitions apply to agencies or agency heads under the  
14 jurisdiction of the Governor."